BARROW

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

	TITLE OF CASE			ATTORNEYS						
	JOHN E. MILLER			And the second s	Swa 71:	plaintiff: anson & Mon L Thurston	Nationa	1 Buil	ding	
	vs				'I'U.	lsa, Oklaho	ma 7410	3		
•	FRONTIER AIRLINES, INC and United States of Amer		cion							
					Dar 13] Tu] Robe Dept	defendant: A. Rogers L. Petroleur Lsa, Oklahor ert R. Smil of Justic ington, D.C	na 7411 ey e	9	ng	- 4
					•					
***	STATISTICAL RECORD	COSTS			DATE	name or receipt no.	REC	. D	SB.	
***	J.S. 5 mailed <i>Q-1-70</i>	Clerk			1970 7-28 7-30	Rogers C.D. No. 5	15 00	15	00	
•	J.S. 6 mailed /2 -/- 7/ Basis of Action: Judgment for carelessness of airlines pilot	Marshal Docket fee Witness fees								
	Action arose at: Nebraska	Depositions								

7-28-70 Foliated described to hold pre-trial prior to 4-16-71 and file pre-trial order of writer filed. b Alias summons issue d (copies mailed) 7-28-71 Foliating defendant, filed. b Alias summons issue d (copies mailed) 7-31-70 Foliating defendant, filed. 1-19-71 Foliating of petition and bond for removal by defendant, filed. order not later than 4-21-71. (AEB-J)m Plaintiff's motion to strike case from pre-trial docket and add additional party defendant, filed. 1-28-71 Core Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint filed. Order Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint filed. Order Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint filed. (AEB-JOFT) 28-71 First Amended Complaint, filed. b Alias summons issue d (copies mailed) First Amended Complaint, filed. b Alias summons issue d (copies mailed) and U. S. Attorney General by certified mail; served U. S. Attorney at Thiss, 4-28-71 (USM \$3.00)E 28-71 Feturn on service of writ; filed: served Federal Aviation Adm. and U. S. Attorney General by certified mail; served U. S. Attorney and to file out of time. (AEB-J) Filed. r Parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order to 8-3-71. Filed. ds 7-23-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-71 8-11-72 8-11-73 8-11-74 8-11-74 8-11-75 8-11-75 8-11-77 9-12-87 8-11-79 10-22-71 10-12-71 1	DATE	PROCEEDINGS	Date Order or Judgment Noted
T-28-70 Bond on removal, filed. Fromtier Airlines, Inc. as principal and United States Pitelity and Guaranty Company as surety, in the sum of \$500.00. ds 7-28-70 For including the states of the sum of \$500.00. ds 7-31-70 Answer, filed. Shower, filed. Shiles summons issued additional party defendant, filed. Shiles summons issued and additional party defendant and file First Amended Complaint. Filed. Return on service of writ, filed. Shiles summons issued (cooles mailed) and U. S. Attorney deneral by certified mail; served U. S. Attorney at Tulsa, 4-28-71. (USM \$3.00)g Deft's Separate Answert's first amended complaint, Filed. Leave granting to file out of time. (AEB-J) Filed. Character of Deft. U.S.A., filed. The parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order not later than 7-23-71. (AEB-J) with the filed. Ship of	7-28-70	filed, ds	
7-28-70 Notice of filing of petition and bond for removal by defendant, filed ds Answer, filed de parties directed to hold pre-trial prior to 4-16-71 and file pre-trial order not later than 4-21-71. (AEB-J)m Plaintiff's motion to strike case from pre-trial docket and add additional party defendant, filed. Order Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint filed. (AEB-Z71 Return on service of writ, filed: served Federal Aviation Adm. (copies mailed) and U. S. Attorney General by certified mail; served U. S. Attorney at Tulsa, 4-28-71. (USM \$3.00)g Deft's Separate Answer fof First amended complaint, Filed. Leave granting to file out of time. (AEB-J) Filed. r Deft's Separate Answer fof First amended complaint, Filed. Leave granting to file out of time. (AEB-J) Filed. r Answer of Deft. U.S.A., filed. r Defendant, USA.'s motion for extension of time, filed. ds Oder, extending time to file pretrial order to 8-3-71, filed. r Deposition of Byna Marie Duble in Denver, Colorado on 6-25-71, filed. r Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71, filed. r B-11-71 Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71, filed. r B-16-71 Case set for non-jury trial November 1, 1971, at 10:00 a.m. (AEB-J)v Case called for jury trial, and tried Nov. 1, 2, & 3, 1971. Om 11-3-71; Defendant case dismissed. Jury excused Dan Rogers to prepare proper order of dismissal (AEB-J)v Case est for non-jury trial november 1, 1971, at 10:00 a.m. (AEB-J)v Case called for jury trial, and tried Nov. 1, 2, & 3, 1971. Om 11-3-71; Defendant or of the Plaintiff for Dismissal With Prejudice, filed. v Order of Dismissal With Prejudice (Upon Application of the Plat), filed. (AEB-J)v Order of Dismissal With Prejudice (Upon Application of the Plat), filed. (AEB-J)v Order of Dismissal With Prejudice (Upon Application of the Deft., Frontier Airlines, Inc., be permitted t	7-28-70	Bond on removal, filed. Frontier Airlines, Inc. as principal and United States Fidelity and Guaranty Company as surety, in the sum of \$500.00. ds	
3-5-71 4-1		Notice of filing of petition and bond for removal by defendant, filed. ds	
Plaintiff's motion to strike case from pre-trial docket and add additional party defendant, filed. Order Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint filed. Party defendant and file First Amended Complaint filed. b Allas summons issued (copies mailed) Return on service of writ, filed: served Federal Aviation Adm. vand U. S. Attorney General by certified mail; served U. S. Attorney at Tulsa, 4-28-71. (USM, \$3,00)g Deft's Separate Answer Total First amended complaint, Filed. Leave granting to file out of time. (AEB-J) Filed. r Answer of Deft. U.S.A., filed. r Parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order not later than 7-23-71. (AEB-J) v Defendant, USA,'s motion for extension of time, filed. ds order, extending time to file pretrial order to 8-3-71, filed. r Deposition of Jan Marie Duble in Denver, Colorado on 6-25-71. Filed. r Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71. Filed. r B-11-71 Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71. Filed. r B-11-71 Case called for jury trial, November 1, 1971, at 10:00 a.m. (AEB-J)v Case set for non-jury trial November 1, 1971, at 10:00 a.m. (AEB-J)v Case called for jury trial, and tried Nov. 1,2, & 3, 1971. Dail-3-71! Defigndarised. Jury excused.Dan Rogers to prepare proper order of dismissal (AEB-J)h Application of the Plaintiff for Dismissal With Prejudice, filed. v (Order sent to the Judge) Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Application of the Deft., Frontier Airlines, Inc., be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v Copies Mailed.		Parties directed to hold pre-trial prior to 4-16-71 and file pre-	
Order Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint filed.h(AEB + 28-71	4-15-71	Plaintiff's motion to strike case from pre-trial docket and add additional party defendant, filed.	
First Amended Complaint, filed. b Alias summons issued (copies mailed) 1-29-71 Return on service of writ, filed: served Federal Aviation Adm. and U. S. Attorney General by certified mail; served U. S. Attorney at Tulsa, 4-28-71. (USM \$3.00)g Deft's Separate Answer(ToTifrst amended complaint, Filed. Leave granting to file out of time. (AEB-J) Filed. r Answer of Deft. U.S.A., filed. r Parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order not later than 7-23-71. (AEB-J) v 1-23-71 Defendant, USA,'s motion for extension of time, filed. ds Oder, extending time to file pretrial order to 8-3-71, filed. r Deposition of Jan Marie Duble in Denver, Colorado on 6-25-71. Filed.r Deposition of Byron O. Craig in Denver, Colorado on 6-25-71. Filed.r Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71. Filed. r 8-16-71 Pre-trial Order, filed. (AEB-J)v Case set for non-jury trial November 1, 1971, at 10:00 a.m. (AEB-J)v Case called for jury trial, and tried Nov. 1,2, & 3, 1971. Om 11-3-71 Defgating-invotions for dismissal with prejudice are each sustained, for the read of case dismissed. Jury excused.Den. Rogers to prepare proper order of dismissal. (AEB-J)v 11-17-71 Application of the Plaintiff for Dismissal With Prejudice, filed.v (Order sent to the Judge) Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Ordered that the Deft., Frontier Airlines, Inc., for Return of Depositions, filed. v Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v Cropies Mailed.) Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds AMPS-10-10-72	4-19-71	Order Sustaining Plaintiff's Motion to Strike from Pre-trial docket and add additional party defendant and file First Amended Complaint	filed.h(AEB-
Deft's Separate Answer to Tirst amended complaint, Filed. Leave granting to file out of time. (AEB-J) Filed. r 6-18-71 6-18-71 6-18-71 6-18-71 7-23-71 7-23-71 8-11-71 1-1-1-71 1-1-1-71 1-1-1-71 1-1-1-1-	4-28-71 4-29-71	First Amended Complaint, filed. b Alias summons issu; ed (co Return on service of writ, filed: served Federal Aviation Adm. v and U.S. Attorney General by certified mail; served U.S. Attorney	pies mailed)
Answer of Deft. U.S.A., filed. r Parties directed to hold pre-trial prior to 7-16-71 and file pre-trial order not later than 7-23-71. (AEB-J) v Defendant, USA,'s motion for extension of time, filed. ds Oder, extending time to file pretrial order to 8-3-71, filed. ds. 7-23-71 8-11-71 Deposition of Jan Marie Duble in Denver, Colorado on 6-25-71. Filed. r Deposition of Byron O. Craig in Denver, Colorado on 6-25-71, filed. r Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71. Filed. r B-16-71 11-1-71 Case set for non-jury trial November 1, 1971, at 10:00 a.m. (AEB-J)v Case called for jury trial, and tried Nov. 1,2, & 3, 1971. Daili-3-71: Daignanting ottions for dismissal with prejudice are each sustained, for the read case dismissed. Jury excused. Dana Rogers to prepare proper order of dismissal. (AEB-J)v Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Corder of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Ordered that the Deft., Frontier Airlines, Inc., be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	5 -28-71	Deft's Separate Answer to first amended complaint, Filed. Leave	
order not later than 7-23-71. (AEB-J) v Defendant, USA,'s motion for extension of time, filed. ds Oder, extending time to file pretrial order to 8-3-71, filed. ds Deposition of Jan Marie Duble in Denver, Colorado on 6-25-71. Filed.r Deposition of Byron O. Craig in Denver, Colorado on 6-25-71. Filed.r Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71. Filed.r Pre-trial Order, filed. (AEB-J)v Case set for non-jury trial November 1, 1971, at 10:00 a.m. (AEB-J)v Case called for jury trial, and tried Nov. 1,2, & 3, 1971. Dailed.71: Dafendantial-motions for dismissal with prejudice are each sustained for the research dismissed. Jury excused.DanaRogers to prepare proper order of dismissal. (AEB-J)h Application of the Plaintiff for Dismissal With Prejudice, filed.v (Order sent to the Judge) Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Application of the Deft., Frontier Airlines, Inc., for Return of Depositions, filed.v Ordered that the Deft in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	6=17-71	Answer of Deft. U.S.A., filed. r	
7-23-71 8-11-71 9-11-7	6-18-7 1 j		ial
8-16-71 Pre-trial Order, filed. (AEB-J)v 0-22-71 Case set for non-jury trial November 1, 1971, at 10:00 a.m. (AEB-J)v 11-1=71 Case called for jury trial, and tried Nov. 1,2, & 3, 1971. On 11-3-71: Dafendants notions for dismissal with prejudice are each sustained, for the read case dismissed. Jury excused. Dan Rogers to prepare proper order of dismissal. (AEB-J)h Application of the Plaintiff for Dismissal With Prejudice, filed.v (Order sent to the Judge) 0 Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Capia Malled. Application of the Deft., Frontier Airlines, Inc., for Return of Depositions, filed. v 0 Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) 1-10-72 Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	7-23-71 7-23-71 8-11-71 8-11-71 8-11-71	Oder, extending time to file pretrial order to 8-3-71, filed. ds one Deposition of Jan Marie Duble in Denver, Colorado on 6-25-71. Filed Deposition of Byron O. Craig in Denver, Colorado on 6-25-71, filed. Deposition of Ernest R. Pennyweight in Denver, Colorado on 6-25-71.	l.r
Case called for jury trial, and tried Nov. 1,2, & 3, 1971. On 11-3-71' Defendants in motions for dismissal with prejudice are each sustained for the read and case dismissed. Jury excused Dana Rogers to prepare proper order of dismissal. (AEB-J)h Application of the Plaintiff for Dismissal With Prejudice, filed. (Order sent to the Judge) Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Application of the Deft., Frontier Airlines, Inc., for Return of Depositions, filed. v Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds		Pre-trial Order, filed. (AEB-J)v	
Application of the Plaintiff for Dismissal With Prejudice, filed.v (Order sent to the Judge) Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v (AEB-J)v (AEB-J)v (AEB-J)v (AEB-J)v (AEB-J)v (AEB-J)v (AEB-J)v (Copies Mailed.) 11-29-71 Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) 1-10-72 Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	10-22-(1	Case called for jury trial, and tried Nov. 1,2, & 3, 1971. On 1143 Defendants motions for dismissal with prejudice are each sustained and case dismissed. Jury excused Dan Rogers to prepare proper order	3-71
Order of Dismissal With Prejudice (Upon Application of the Pltf), filed. (AEB-J)v Capital Application of the Deft., Frontier Airlines, Inc., for Return of Depositions, filed. v Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) 1-10-72 Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	11-17-71	Application of the Plaintiff for Dismissal With Prejudice, filed.v	
Application of the Deft., Frontier Airlines, Inc., for Return of Depositions, filed. v Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) 1-10-72 Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	11-24-71	Order of Dismissal With Prejudice (Upon Application of the Pltf),	And the second s
Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.) Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds	11-29-71	Application of the Deft., Frontier Airlines, Inc., for Return of	
1-10-72 Stipulation for compromise settlement pursuant to 28 USC 2677, filed. ds of the	11-29-71	Ordered that the Deft. in this case (Frontier Airlines, Inc.) be permitted to withdraw the original depositions taken and filed in this case, filed. (AEB-J)v (Copies Mailed.)	Lunny
1-13-72 Order Approving Compromise Settlement, filed. (AEB-J)v copies mando		Stipulation for compromise settlement pursuant to 28 USC 2677, file	d. ds fruit
	1-13-72	Order Approving Compromise Settlement, filed. (AEB-J)v Copies MANG	